

SUMMARY REPORT OF INVESTIGATION¹

I. EXECUTIVE SUMMARY

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|----------------------------|------------------|
| Date of Incident: | January 27, 2015 |
| Time of Incident: | 5:00 PM |
| Location of Incident: | XXXX |
| Date of COPA Notification: | January 27, 2015 |
| Time of COPA Notification: | 7:40 PM |

The complainant alleges that an officer referred to her as a "black bitch." While the complainant was in her residence, she became aware of police activity in the alley and opened her door. A police officer told the complainant to go back inside and she complied. After entering the residence, the complainant opened a window and looked outside. The complainant attempted to tell the officers that her son, who was detained by officers, just left their residence and could not have done anything wrong. At that point, Officer A allegedly told her, "Get out the window, black bitch," before he got into an unmarked squad car and left the scene. Officer A denied having any verbal contact with Complainant 1 and no witness account or other evidence was available to either sustain or refute the allegation.

II. INVOLVED PARTIES

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|-------------------------|---|
| Involved Officer #1: | Officer A, ² #XXXX; Employee # XXXX; Date of Appointment: XXXX; Police Officer; Assigned to XXXX District/Detailed to Unit XXXX; Date of birth: XXXX, 1986; Male; Hispanic |
| Involved Individual #1: | Complainant 1; Date of birth: XXXX, 1971; Female; Black |

III. ALLEGATIONS

| Officer | Allegation | Finding I Recommendation |
|------------------|---|-----------------------------|
| Police Officer A | 1. The complainant alleges that Officer A verbally abused Complainant 1 in that he called her a "black bitch" in violation of Rule 8. | Not Sustained |

¹ On September 15, 2017, the Civilian Office of Police Accountability (COPA) replaced the Independent Police Review Authority (IPRA) as the civilian oversight agency of the Chicago Police Department. Therefore, this investigation, which began under IPRA, was transferred to COPA on September 15, 2017, and the recommendation(s) set forth herein are the recommendation(s) of COPA.

² Officer A was identified as the accused officer based on the description provided by the complainant and the demographic information of the officers on the scene.

IV. APPLICABLE RULES AND LAWS

Rules

1. Rule 8 - Disrespect to or maltreatment of any person, while on or off duty.

V. INVESTIGATIONS

a. Interviews

In a statement with the Independent Police Review Authority on April 22, 2015⁴, **Complainant 1** stated that she lives in the coach house at XXXX. She stated that on the evening of January 27, 2015, she noticed approximately fifteen police officers in the alley behind her residence and in her back yard. Complainant 1 observed the officers detaining approximately four males that she recognized from the neighborhood. Complainant 1 opened her door and asked an officer^s what was going on. The officer responded by telling her to go inside. Complainant 1 went inside, leaned out of her window and asked a white, male, uniformed officer what was happening. She stated that this officer then told her to get out of the window and called her a "black bitch." That officer then walked away and drove off.

In a statement with the Independent Police Review on December 5, 2016, **Police Officer Officer A**⁵ denied the allegations against him. Officer A stated that he was on duty in a car with two other officers on the date of the incident. Officer A stated he was riding in the back seat of that vehicle and was not driving, when they were notified of either a Person with a Gun call or a Shots Fired call by OEMC. A Safe Passage worker directed the officers to the location of the incident. Officer A stated that when the officers arrived, they encountered several individuals near the location of XXXX, one of whom had a firearm. Officer A stated the officers were able to take the individuals into custody without incident. Officer A stated that he did not have any contact with any other civilians on the scene.

b. Documentary Evidence

In his **Initiation Report**, Sergeant A, reported that Complainant 1 told him that she heard a disturbance outside of her residence.⁶ Complainant 1 related that she stuck her head out of the window and saw numerous officers between the front house and the coach house where Complainant 1 lives. In his report, Sergeant A indicates that multiple officers told Complainant 1 to go back inside for her safety, as they

COPA conducted a thorough and complete investigation. The following is a summary of the material evidence gathered and relied upon in our analysis.

⁴ Attachment 15

⁵ COPA was unable to determine the identity of this officer.

⁶ Attachment 66

⁷ Attachment 4

were placing five offenders in custody for being in possession of a firearm and for discharging a firearm near Bowen High School, at 2710 East 89th Street. Complainant 1 related to him that she did not comply with the officers' orders because her son was one of the arrestees. Complainant 1 alleged that an unknown white male officer in civilian dress wearing a black vest with the name "PO XXXX"⁸ stitched on it told her, "Get the fuck back in the window, black bitch."

Sergeant A, Police Officer B, Police Officer C, Police Officer D, Police Officer E, Police Officer F, Police Officer G, Police Officer H, and Police Officer I, submitted **Witness Reports**⁹ relative to this incident. No officer recalled a Police Officer XXXX being present on the scene, nor did they hear any other officer call Complainant 1 a "black bitch." ¹⁰

VI. ANALYSIS

COPA recommends a finding of **NOT SUSTAINED** for the allegation that Officer A verbally abused Complainant 1, in that he called her a "black bitch." Complainant 1 made the allegation and Officer A denied the allegation. There is no other evidence available to either confirm or deny the allegation made by the complainant. Additionally, no other officer present at the scene recalled hearing any officer call Complainant 1 a "black bitch." Therefore, there is insufficient available evidence to either sustain or refute the allegation.

VII. CONCLUSION

Based on the analysis set forth above, COPA makes the following findings:

| Officer | Allegation | Finding / Recommendation |
|------------------|--|--------------------------|
| | The complainant alleges that Officer A verbally abused Complainant 1, in that he called her a "black bitch". | |
| Police Officer A | | Not Sustained |

⁸ At the time of the incident, there was one Chicago Police Department member with the last name "XXXX". Police Officer J was assigned to Unit XXXX at the time of the incident and was Regular Day Off on 27 January 2015. Attachment 55.

⁹ Attachments 46-54

IPRA investigations sometimes accepted witness reports from officers that were present during alleged incidents. As interviewing the witness officers at this time would likely not result in any additional information, the reports are included in this summary.



11-1-18

Date

Deputy Chief Administrator — Chief Investigator

Appendix A

Assigned Investigative Staff

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|------------------------------------|---------------------|
| Squad#: | 9 |
| Investigator: | COPA Investigator A |
| Supervising Investigator: | COPA Investigator B |
| Deputy Chief Administrator: | COPA Deputy Chief A |